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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,706	03/21/2001	Angelique Chappuis	Q63251	7585

7590 11/06/2002
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EXAMINER

GOODWIN, JEANNE M

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N . 09/787,706	Applicant(s) CHAPPUIS, ANGELIQUE	
	Examiner Jeanne-Marguerite Goodwin	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,479,381 to Goldenberg et al. [hereinafter Goldenberg].

Goldenberg discloses a reversible watch having a first case assembly (20, 22) enclosing control knob 24 and a second case assembly (30, 32) enclosing control knob 34, said first case and second case assemblies each having a back cover and being placed back-to-back, characterized in that the first case and second case assemblies appear to include at least one securing element to secure the cases to each other in a position in which their respective back covers are adjacent (see Figures 1-5). The first and second case assemblies have a pair of horns at the six o'clock and twelve o'clock positions, wherein the horns of the first case are juxtaposed with the horns of the second case when said cases are placed back-to-back. Furthermore, it appears that the horns are arranged on the back and front of each case, respectively. Moreover, the first case assembly and the second case assembly may be totally independent of one another and may share a common power source.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg in view of US Patent 5,138,590 to Masuda et al. [hereinafter Masuda].

Goldenberg discloses a device as stated above with regards to claims 1, 3, 4 and 6. Goldenberg discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 2, i.e., each case contains an electric battery and includes a battery hatch in its back cover.

With respect to the limitation stated in claim 2: Masuda discloses an electronic apparatus comprising a first case assembly (1) and a second case assembly (2) using separate batteries (22, 25) in order to be able to still operate at least one case assembly if one of the batteries fail. Furthermore, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. See *St. Regis Paper Co. V Bemis Co.*, 193 USPQ 8. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add another battery as taught by Masuda, to one of the case assemblies, as taught by Goldenberg, in order to be able to operate to still operate at least one case assembly if one of the batteries fail.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg.

Goldenberg discloses a device as stated above with regards to claims 1, 3, 4 and 6. Goldenberg discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 5, i.e., the particular type of horn assembly.

With respect to the limitation stated in claim 5: The use of the particular type of horn assembly, i.e., four horns male/female, absent any criticality, is considered to be nothing more

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than a choice of engineering skill, choice or design because 1) neither non-obvious nor unexpected results, i.e., results which are different in kind and not in degree from the results of the prior art, will be obtained as long as the first and second cases are secured to one another as already suggested by Goldenberg, 2) the horn assembly claimed by applicant and the horn assembly used by Goldenberg are well known alternate types of securing means which will perform the same function, if one is replaced with the other, of securing the first and second case to one another, and 3) the use of this particular type of securing means by applicant is considered to be nothing more than the use of one of numerous and well known alternate types of securing means that a person having ordinary skill in the art would have been able to provide using routine experimentation in order to secure the first and second cases back-to-back as already suggested by Goldenberg.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg in view of US Patent 3,293,846 to Pauli [hereinafter Pauli].

Goldenberg discloses a device as stated above with regards to claims 1, 3, 4 and 6. Goldenberg discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 7, i.e., the securing elements include assembly elements of the dovetail type.

With respect to the limitation stated in claim 7: Pauli teaches using a securing element having a dovetail type engagement in order to easily fasten a watchcase to a bracelet. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace the securing element as taught by Goldenberg, with the securing element as

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taught by Pauli, since both are alternate types of securing elements which will provide the same function, if one is replaced with the other, of securing the first and second cases together.

7. Claim 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg in view of US Patent 4,493,561 to Bouchet [hereinafter Bouchet].

Goldenberg discloses a device as stated above with regards to claims 1, 3, 4 and 6.

Goldenberg discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 8, i.e., a support having two parallel lateral bars; the limitation stated in claim 9, i.e., a trunnion which is engaged in a slide way; and the limitation stated in claim 10, i.e., the support being provided with securing means including a removable bar for securing it to the wristband; the limitation stated in claim 11, i.e., the movable case slides along the support in a perpendicular direction to the wristband; and the limitation stated in claim 12, i.e., the movable case slides on the support in a parallel direction to the wristband.

With respect to the limitations stated in claims 8-12: Bouchet discloses a reversible wrist watch comprising a support having two parallel lateral bars (2, 3) between which a movable case occupies two mutually reversed positions, in which two opposite lateral faces of the movable case extend, a trunnion (27) which is engaged in a slide way, the bars (2, 3) are removable bars for securing to the wristband and the movable case slides along the support in a perpendicular and parallel direction to the wristband. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace the reversible assembly as taught by Goldenberg with the reversible assembly as taught by Bouchet, since both are alternate

types of reversible assemblies which will provide the same function, if one is replaced with the other, of reversing the first case or second case outward.

Response to Arguments

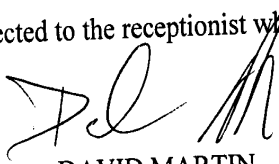
8. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. Contrary to applicant's belief, Goldenberg discloses a first and a second case (see column 2, lines 30-34).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related devices. US Patent 6,340,242 to Sandidge discloses using more than one battery; and US Patent 4,444,513 to Proellocks et al. discloses a dual display watch.

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JMG
Nov. 4, 2002


DAVID MARTIN
SUPERVISORY PATENT EXAMINER
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